Docket No.: 4619-009

## ATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Francis VANDERBIST

Confirmation No.: 7736

U.S. Patent Application No. 09/424,247

Group Art Unit: 1615

Filed: November 30, 1999

Examiner: Retford O. BERKO

For:

DRY POWDER INHALER EXCIPIENT, PROCESS FOR ITS PREPARATION AND

PHARMACEUTICAL COMPOSITION CONTAINING IT

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop Appeal Brief - Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner finally rejecting claims 14-38.

Appeal Fee:\$500.00

| $\boxtimes$ | A check in the amount of \$500.00 is enclosed within the amount of \$1,720.00 as attached with the Petition for Extension. |
|-------------|--|
|             | Credit Card Authorization form   |
|             | Charge to Deposit Account No. 07-1337.   |

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit

account.

04/07/2005 JADD01 00000018 09424247

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> William E. Beaumont Registration No. 30,996

Jules

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

1700 Diagonal Road, Suite 300 Alexandria, Virginia 22314 (703) 684-1111 WEB/sj (703) 518-5499 Facsimile

Date: April 6, 2005